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LETTER DATED 13 AUGUST 1998 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I am writing in connection with your report of 5 August 1998 (S/1998/712) prepared pursuant to Security Council resolution 1160 (1998) and the statement issued by your spokesman on 11 August 1998.

The report, which I studied attentively, is full of incomplete data and arbitrary assessments and stands in stark contrast with the situation on the ground, from which inappropriate inferences are made. Also, the statement of your Spokesman is incongruent with all previous positions of the United Nations on the situation in Kosovo and Metohija to the point of being ill-intended and tendentious.

In section IV of the report, on Kosovo and Metohija, it is, inter alia, said that "the situation in Kosovo continues to deteriorate. Increased heavy fighting between the security forces of the Federal Republic of Yugoslavia and the so-called Kosovo Liberation Army (KLA)" is alleged to take place in "several area in Kosovo". This wording conceals the true nature of the hostilities: the terrorist attacks of Albanian separatists which disturb public peace and order and take a heavy toll in innocent human lives. From the beginning of 1998, the terrorists have carried out over 650 acts of terrorism and taken over 150 people hostage. They have killed a great number of civilians of various ethnic origin, more than a half of them ethnic Albanians. They also have taken hostage entire families, often even entire villages. They booby-trapped cars and mined power plants; they raided churches and monasteries. Over 100 foreign diplomats, moving freely in Kosovo and Metohija, have been daily witnesses to these atrocities.

And yet, the report is evasive in defining the operations of security forces as being in accordance with their legal authority, aimed at protecting citizens and their property, the practice resorted to in all countries in the circumstances. Consequently, it is inappropriate to speak about "wanton destruction" and a policy of "scorched earth" of the Yugoslav security forces and the violation of human rights and international humanitarian law by the Belgrade authorities as is often alleged. A ceasefire can be reached only when terrorism is stopped.

The report says that "most disturbing are reports of increased tensions along the border between the Federal Republic of Yugoslavia and Albania". The tensions are not provoked by the Yugoslav security forces or the military which act with utmost restraint and in accordance with their legal authority and obligations. The tensions are the result of terrorism and a constant influx of arms and military equipment, as well as mercenaries from Albania into the Federal Republic of Yugoslavia, which, unfortunately, takes place with the countenance, and even assistance, of the official authorities of Albania.

The report goes on to say that "there is no progress on renewal of dialogue". However, no mention is made of the causes of the impasse. I trust and believe that you are aware of the ceaseless efforts invested by the Governments of the Republic of Serbia and the Federal Republic of Yugoslavia in renewing the dialogue. They are determined to solve the problems in Kosovo and Metohija peacefully, through dialogue and with respect for the integrity of Serbia and the Federal Republic of Yugoslavia and with full guarantees of equal human rights to all citizens and ethnic communities living in the province. All these commitments have been undertaken irrespective of the national, ethnic or religious affiliation of those communities and at the level of the highest international standards.

For the sake of objectivity, the report should point out that the leaders of the political parties of the Albanian national minority of Kosovo and Metohija are responsible for the absence of dialogue. The authorities of the Federal Republic of Yugoslavia and the Republic of Serbia are ready to resume the dialogue on substantive issues immediately: on confidence-building measures, local self-rule and forms of autonomy for Kosovo and Metohija. The criticism of the authorities of the Federal Republic of Yugoslavia and the Republic of Serbia for the lack of dialogue is therefore entirely unwarranted.

A mere statement in the report to the effect that "the continuing infiltration from outside the borders of the Federal Republic of Yugoslavia of weapons and fighting men is a source of continuing widespread concern", short of a recommendation how to deal with the infiltration, is inadequate and will not help solve the problem. It is necessary for the United Nations to take resolute steps in order to prevent the infiltration of terrorists and weapons across the border of the Federal Republic of Yugoslavia. To that end, Albania must be requested to enforce effective control of the border, stop the infiltration of terrorists and the smuggling of arms into Yugoslavia and ban terrorist groups and individuals from using its territory for preparing terrorist acts against the Federal Republic of Yugoslavia. The States which provide a haven to terrorist organizations that raise money to finance recruitment and training of mercenaries and terrorists are duty-bound to take all necessary measures to check these activities and to bring the perpetrators to justice.

My Government had every right to expect that your report to the Security Council would emphasize that the authorities of the Federal Republic of Yugoslavia and the Republic of Serbia, the ceaseless efforts of which to resume dialogue are on record, are not responsible for the lack of progress on renewal of dialogue and for the deterioration of the situation in Kosovo and Metohija. They are resolved to persevere and ensure all necessary conditions both for the evolvement of the dialogue and for the normal course of life in this Serbian

province. To this end, the authorities have called upon the refugees and displaced persons to return home, guaranteeing them full security and protection and taking all necessary measures to alleviate the situation. They maintain effective cooperation with the International Committee of the Red Cross and the Office of the United Nations High Commissioner for Refugees and other humanitarian organizations, while interested foreign diplomatic missions in the Federal Republic of Yugoslavia are given permission to increase the number of personnel and have unimpeded access throughout Kosovo and Metohija in order to obtain a better insight in the situation.

In concluding the letter, I take the opportunity to convey the impression of my Government that much of the misperception of the situation in Kosovo and Metohija in the United Nations derives from the lack of first-hand knowledge of the events taking place on the ground. In order to allay future misunderstandings and to help you obtain a better picture of the situation and the measures taken by the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia to solve the problems in Kosovo and Metohija, I have been instructed to transmit to you an invitation of my Government to visit the Federal Republic of Yugoslavia at your earliest convenience.

I would be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.